

As previously asserted to the Examiner, the specification was not intended to reflect that the Bionelle #1020 was purchased containing talc. Since the Examiner continues to assert that the specification discloses that the Bionelle #1020 was purchased containing talc, Applicants were required to revise the specification. The specification did not properly reflect what the inventors' believed the application to say, i.e., that talc was added to the Bionelle #1020, consistent with information which was contained in the applications from which this was translated. Applicants further assert that no new matter has been introduced since this amendment was only clarifying in nature. Withdrawal of this rejection is respectfully requested.

III. Rejection Under 35 U.S.C. § 112

Claims 2, 5-8, 10, and 11 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, the Examiner alleges that the claims do not have antecedent bases for "the formed article." In view of the amendment of claims 2, 5-8, and 10-11, withdrawal of this rejection is respectfully requested.

IV. Rejections Under 35 U.S.C. §102(e) and §103(a)

Tsai et al.

The Examiner has rejected claims 1, 2, 5, 6, 8, and 10-13 under 35 U.S.C. §102(e) as anticipated by or, in the alternative, 35 U.S.C. §103(a) as being unpatentable over Tsai et al. The Examiner further rejects claim 7 under 35 U.S.C. §103(a) as being unpatentable over Tsai et al. and further in view of Yamada et al. Applicants submit herewith an executed Declaration under 35 U.S.C. § 1.131 which establishes a date of invention which removes Tsai et al. as a reference. In view of the filing of this Declaration, withdrawal of this rejection is respectfully requested.

Obuchi et al.

The Examiner continues to reject claims 1, 2, 5, 6, 8, and 10-13 under 35 U.S.C. §102(e) as anticipated by or, in the alternative, 35 U.S.C. §103(a) as being unpatentable over Obuchi et al. The Examiner further rejects claim 7 under 35 U.S.C. §103(a) as being unpatentable over Obuchi et al. and further in view of Yamada et al. This rejection is respectfully traversed.

Claims 1 and 12 require a **molded** fastener component made of a biodegradable resin material. Neither Obuchi et al. nor Yamada et al. teaches or suggests a molded fastener component made of a biodegradable resin material.

Obuchi et al. teaches a resin composition used for food packaging containers, daily necessities, leisure goods, medical supplies, agricultural and fishery goods, etc. (col. 9, lines 3-45). The only component taught by Obuchi et al. which might be considered a fastener is "tying material," col. 9. line 32. This material is clearly not a molded fastener as required by amended claims 1 and 12.

Yamada et al. teaches a biodegradable polyester fiber to be used as an industrial material such as fishnets, fishing lines, fly-screens, bags for compost, etc. Yamada et al., like Obuchi et al., does not teach or suggest a molded fastener.

Biodegradable resins are not used in fasteners because they incur problems with strength and moldability. The Examiner has cited to nothing within the references which would suggest to the skilled artisan that a biodegradable resin could be used in the production of molded fasteners. The strength issues associated with a molded fastener are not the same as those, for example, associated with a tying material.

Since Obuchi et al. in view of Yamada et al. does not constitute a prima facie case of obviousness, withdrawal of this rejection is respectfully requested.

V. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and the continued examination of this application and the timely allowance of the pending claims.

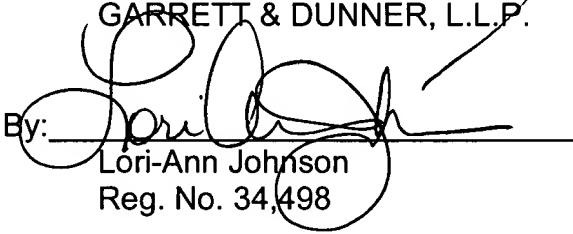
If there are any additional fees due in connection with the filing of this Amendment, such as fees under 37 C.F.R. §§1.1.6 and 1.17, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested. This fee also should be charged to our Deposit Account No. 06-0916. Any overpayment may be credited to Deposit Account No. 06-0916.

Respectfully submitted,

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APPENDIX

Claim Amendments

Items within the claims that are bracketed are deleted and items that are underlined are added.

2. The molded [formed] article according to claim 1, wherein said aliphatic polyester component accounts for a proportion in the range of 55 to 90% by weight of the material.

5. The molded [formed] article according to claim 1, wherein said inorganic filler is at least one member selected from the group consisting of talc, calcium carbonate, clay, kaolin, carbon, mica, silica, aluminum oxide, magnesium hydroxide and barium sulfate.

6. The molded [formed] article according to claim 1, wherein said inorganic filler contained in said continuous phase is talc.

7. The molded [formed] article according to claim 1, wherein said inorganic filler contained in said continuous phase is calcium carbonate.

8. The molded [formed] article according to claim 1, wherein said inorganic filler is present in said continuous phase in an amount of 5 to 100 parts by weight, based on 100 parts by weight of said aliphatic polyester.

10. The molded [formed] article according to claim 1, wherein said molded [formed] article is a slide fastener.

11. The molded [formed] article according to claim 1, wherein said molded [formed] article is a separable fastener.